

Report Date: June 9, 2014

## United States District Court

for the

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 10 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Donald Michael Jay

Case Number: 2:05CR00135-RHW-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: February 23, 2006

Original Offense: Possession of a Stolen Firearm, 18 U.S.C. § 922(j)

Original Sentence: Prison 84 months; Type of Supervision: Supervised Release  
TSR - 36 months

Asst. U.S. Attorney: Katherine Jill Bolton

Date Supervision Commenced: August 26, 2011

Defense Attorney: Federal Defenders Office

Date Supervision Expires: August 25, 2014

## PETITIONING THE COURT

## To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

- 1      **Standard Condition #2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

**Supporting Evidence:** Mr. Jay failed to report as directed on June 6, 2014.

The undersigned officer attempted to make contact with Mr. Jay at his reported residence. Mr. Jay did not answer the door. A business card was placed in Mr. Jay's door directing him to report on June 6, 2014. Mr. Jay later called and left a voice message stating he would not report on June 6, 2014, and directed the undersigned officer to request a warrant.

- 2      **Standard Condition #7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

- 3      **Special Condition #18:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

**Supporting Evidence:** During a phone conversation on June 9, 2014, Mr. Jay admitted to the deputy chief U.S. probation officer that he had been consuming alcohol.

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- 4        **Special Condition #14:** You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

**Supporting Evidence:** Mr. Jay failed to attend a scheduled appointment with his mental health provider on May 31, 2014.

On June 3, 2014, the undersigned officer was notified that Mr. Jay failed to attend his scheduled appointment on May 31, 2014, with his mental health provider. Numerous attempts to contact Mr. Jay regarding this issue were made by the undersigned officer. Mr. Jay failed to respond to either his mental health provider or the undersigned officer to reschedule his appointment. Mr. Jay is in violation of his treatment recommendations.

- 5        **Special Condition #16:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** Mr. Jay failed to attend his scheduled chemical dependency treatment session on June 6, 2014.

Mr. Jay was scheduled to start intensive outpatient treatment on June 6, 2014; however, he failed to report for that session. Mr. Jay is in violation of his chemical dependency treatment requirements.

- 6        **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Jay failed to report for his drug test as directed on June 3, 2014.

On June 4, 2014, the undersigned officer was notified by the treatment provider that Mr. Jay failed to report for his scheduled drug test.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/09/2014

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s/Patrick J. Dennis

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Patrick J. Dennis  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

6/10/2014

Date